

**UNITED STATES DISTRICT COURT  
WESTERN DIVISION OF TEXAS  
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
v. ) NO. 5:13-CR-00655-XR  
 )  
MARCIANO MILLAN VASQUEZ (5), )  
Defendant. )

**Government's Objections to Defense Exhibits For Pre-Admission**

Pursuant to the Court's scheduling Order, the Government and Defense exchanged preliminary exhibit lists and exhibits. The Defense offered 16 document exhibits and 14 picture exhibits. The Government objects or does not object to the exhibits for the following stated reasons:

Exhibit	Object	Reason
1	No	Agreed in pretrial stipulation to admission in return for multiple stipulations by the Defense.
1-A	No	Agreed in pretrial stipulation to admission in return for multiple stipulations by the Defense.
1-B	No	Agreed in pretrial stipulation to admission in return for multiple stipulations by the Defense.
2	Yes	Relevance. Hearsay. Authentication. See Court's Order on Motion In Limine of May 31, 2016
2-A	Yes	Relevance. Hearsay. Authentication. See Court's Order on Motion In Limine of May 31, 2016
3	Yes	Relevance. Hearsay. Authentication. See Court's Order on Motion In Limine of May 31, 2016
3-A	Yes	Relevance. Hearsay. Authentication. See Court's Order on Motion In Limine of May 31, 2016
4	Yes	Relevance. Foundation. Materiality. It is anticipated that some of the United States remaining objections to items 4-19 inclusive may be resolved after a witness testifies about the exhibit. Unlike the government's evidence, there are no reports or statements that indicate the source of these documents, what it is that they purport to show, or how these matters are relevant to the charged offenses. Accordingly, even though the United States does not want to delay the trial, it cannot acknowledge their admissibility at this time.

<b>4-A</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>5</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>6</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>7</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>8</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>9</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>10</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>11</b>	<b>Yes</b>	<b>Relevance. Foundation. Best Evidence.</b>
<b>12</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>13</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>14</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>15</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>16</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>16-A</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>16-B</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>16-C</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>17</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>17-A</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>17-B</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>17-C</b>	<b>Yes</b>	<b>Relevance. Foundation.</b>
<b>18</b>	<b>Yes</b>	<b>Relevance. Foundation. FRE 403.</b>
<b>19</b>	<b>Yes</b>	<b>Relevance. Foundation. FRE 403.</b>

Respectfully submitted,

RICHARD L. DURBIN, JR.  
UNITED STATES ATTORNEY

BY: \_\_\_\_\_ /s/ \_\_\_\_\_

RUSSELL D. LEACHMAN  
MICHAEL C. GALDO  
Assistant United States Attorneys

**CERTIFICATE OF SERVICE**

I hereby certify that on 24 day of June, 2016, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant: Marciano MILLAN-Vasquez through his attorney, Jaime Cavazos.

\_\_\_\_\_  
/s/  
RUSSELL D. LEACHMAN